

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55562 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- SALAKHUA District- Saharsa

1. Biseshwar Paswan, aged about 75 years, male, Son of Late Asique Paswan Resident of Village - Gospur (Paswan Tola), P.S.- Salkhua, District - Saharsa.
2. Parma Nand @ Padma Nand Paswan, aged about 26 years, male, Son of Biseshwar Paswan, Resident of Village - Gospur (Paswan Tola), P.S.- Salkhua, District - Saharsa.
3. Bedanand Paswan @ Jumer Paswan, aged about 35 years, male, Son of Biseshwar Paswan (Bedanand Paswan @ Pawandev Paswan is wrongly mentioned in the column of accused Persons), Resident of Village - Gospur (Paswan Tola), P.S.- Salkhua, District - Saharsa.
4. Pawandev Paswan, aged about 30 years, male, Son of Biseshwar Paswan, Resident of Village - Gospur (Paswan Tola), P.S.- Salkhua, District - Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.
For the Opposite Party/s : Mr. Nand Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection
with Salkhua P.S. Case No. 91 of 2019 registered under sections
147, 148, 341, 323, 324, 307, 379, 504 of the IPC.

The allegation against the petitioners, as per the first
information report, is that the petitioner no. 3 assaulted the
husband of the informant by means of Garasa and the allegation



against the petitioners no. 1, 2 and 4 is general in nature and assault by means of lathi and slaps.

Learned counsel appearing for the petitioners submits that both the parties are agnates and there is a land dispute between them. Learned counsel further submits that the allegation against the petitioner no. 1, 2 and 4 is general and omnibus and the allegation of assault against the petitioner no. 3 by means of Garasa is not corroborated by annexure-2, which is injury report of the husband of the informant and from perusal of the same, it would be evident that injury to the husband of the informant has been caused by hard and blunt substances. Learned counsel further submits that the allegation against the petitioner no. 3 is not corroborated by the injury report.

After having heard learned counsel for the parties and taking into consideration the fact that both the parties are agnates and there is land dispute between them and injury report does not corroborate the allegation made against petitioner no. 3 and there is a general allegation against petitioner nos. 1, 2 and 4, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on



anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Saharsa in connection with Salkhua P.S. Case No. 91 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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